

**MONTANA HOUSE AGRICULTURE COMMITTEE**  
**HOUSE BILL 445**  
**FEBRUARY 12, 2009**

Mr. Chairman, members of the committee, for the record my name is Arleen Rice. I manage our family farm and Hi-Line Chemical in Havre. Hi-Line Chemical serves family farms with crop protection products in several counties in North Central Montana. I am a past president of the Montana Agricultural Business Association and continue to serve as a member of its Biotech Committee.

I do not believe that House Bill 445—which is very well crafted—is a “Farmer Protection Act.” While the stated intent of this legislation is to protect farmers, the bill actually does the opposite because it has a dampening effect on seed companies’ willingness to invest money and time into wheat research which Montana growers badly need for Wheat Stem Sawfly resistance and other issues like drought resistance and yield increases.

Some history. For at least the past six legislative sessions, bills similar to House Bill 445 which discourage research and development of biotech wheat have been introduced in the Montana Legislature. Most years, there have been at least two, sometimes three or four. I have traveled here to Helena most of those sessions to testify against these bills. What has passed? Two resolutions. No bills creating law have passed. No bills have made it out of either the House or Senate Agriculture Committee. Only one made it out of any committee and that was the Senate Judiciary Committee on a narrow vote when the Senate President was the sponsor and assigned it to that committee. It died on the Senate Floor.

While similar legislation in Montana and also North Dakota has not passed, companies are not investing in biotechnology for wheat. The mere bills introductions and the resolutions have had a dampening effect. My point is that it is time to end this kind of legislation which sends a negative message to those companies who might invest in research for Montana wheat growers. Montana growers need the advantages biotech has provided for corn, soybeans, cotton and other crops in terms of increased yield, decreased pesticide use, etc.

House Bill 445 also interferes with my private property rights as a farmer and of the farmers I serve. Section 2, 1-c takes away our right to verbally grant permission for access to our land.

Instead of this legislation which attempts to put up roadblocks to seed companies protecting their patents, we need to send the message to them that Montana is open for business, that we would welcome them providing new opportunities for Montana farmers. Wheat Stem Sawfly is a prime example. House Bill 445 sends the wrong message when it is not at all necessary to do so.

Let’s move forward. If you vote to table HB 445, Montana’s agriculture, Montana’s economy and Montana’s environment will benefit. Thank you Mr. Chairman.